IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

Case No. : Crl. Revn. No.1436 of 2007
Date of Decision : October 04, 2007.

Balbir Chand .... Petitioner

Vs.

Chaman Lal Sarpanch and another .... Respondents

CORAM : HON'BLE MR. JUSTICE L. N. MITTAL

* * *

Present : Mr.Naresh Gopal Sharma, Advocate
for the petitioner.

* * *

L.N.MITTAL, J. (Oral) :

Petitioner Balbir Chand has filed the instant revision petition assailing judgment of acquittal dated 22.04.2006 of learned Judicial Magistrate Iat Class, Nawanshahar thereby acquitting respondent no.1 Chaman Lal.

The revision petition is barred by limitation and is therefore accompanied by application for condonation of delay in filing the instant revision petition.

After hearing learned counsel for the petitioner and perusing the record, I find no sufficient ground for condonation of delay. There is delay of 349 days i.e. about one year in filing the instant revision petition. The only justification advanced for condoning such a long delay is that the petitioner was told by the State counsel that the State had filed appeal against the acquittal and under this bona fide impression, the petitioner did

not file the revision petition earlier. The ground advanced is as vague as possible. Even the State counsel, from whom the inquiry was allegedly made by the petitioner, has not been named. It is also not clear from the application if the said State counsel is based at Nawanshahar or at Chandigarh. Such long delay of about one year cannot be condoned on such a lame excuse which is completely vague and without any basis.

In view of the aforesaid, application bearing Crl.Misc.No.80814 of 2007, for condonation of delay in filing the instant revision petition, is dismissed.

Accordingly, the instant revision petition is dismissed as time barred.

October 04, 2007 **(L.N.MITTAL)**
monika **JUDGE**